



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/413,971	10/07/1999	LOUIS RIEHL	P/2167-90	2659

7590 03/11/2003

Steven Weisburd, Esq.
Dickstein Shapiro Morin & Oshinsky LLP
1177 Avenue of the Americas
41 Floor
New York, NY 10036-2714

[REDACTED] EXAMINER

BUCHANAN, CHRISTOPHER R

[REDACTED] ART UNIT

[REDACTED] PAPER NUMBER

3627

DATE MAILED: 03/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/413,971	RIEHL ET AL.	
	Examiner Christopher R Buchanan	Art Unit 3627	
<i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>			
Period for Reply			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.			
<ul style="list-style-type: none"> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 			
Status			
1) <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>14 January 2003</u> .			
2a) <input checked="" type="checkbox"/> This action is FINAL . 2b) <input type="checkbox"/> This action is non-final.			
3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.			
Disposition of Claims			
4) <input checked="" type="checkbox"/> Claim(s) <u>1-11,13-27,29-44 and 46-48</u> is/are pending in the application.			
4a) Of the above claim(s) _____ is/are withdrawn from consideration.			
5) <input type="checkbox"/> Claim(s) _____ is/are allowed.			
6) <input checked="" type="checkbox"/> Claim(s) <u>1-11,13-27,29-44 and 46-48</u> is/are rejected.			
7) <input type="checkbox"/> Claim(s) _____ is/are objected to.			
8) <input type="checkbox"/> Claim(s) _____ are subject to restriction and/or election requirement.			
Application Papers			
9) <input type="checkbox"/> The specification is objected to by the Examiner.			
10) <input type="checkbox"/> The drawing(s) filed on _____ is/are: a) <input type="checkbox"/> accepted or b) <input type="checkbox"/> objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).			
11) <input type="checkbox"/> The proposed drawing correction filed on _____ is: a) <input type="checkbox"/> approved b) <input type="checkbox"/> disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.			
12) <input type="checkbox"/> The oath or declaration is objected to by the Examiner.			
Priority under 35 U.S.C. §§ 119 and 120			
13) <input type="checkbox"/> Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) <input type="checkbox"/> All b) <input type="checkbox"/> Some * c) <input type="checkbox"/> None of: 1. <input type="checkbox"/> Certified copies of the priority documents have been received. 2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____. 3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.			
14) <input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) <input type="checkbox"/> The translation of the foreign language provisional application has been received.			
15) <input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.			
Attachment(s)			
1) <input type="checkbox"/> Notice of References Cited (PTO-892)		4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .	
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)		5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)	
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .		6) <input type="checkbox"/> Other: _____ .	

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 and 13-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funk alone.

With regard to claim 1, Funk discloses a method for processing banking transactions that includes electronically capturing transaction data for transactions conducted by a bank teller (col. 3 line 30+, abstract), storing the transaction data in a file (col. 3 line 55+), reading the transaction data from the file (not stated but inherent in the invention and common practice), and processing the transaction data to complete the banking transaction (col. 4 line 20+). The data captured by the teller is first transaction data (col. 3 line 35+). Funk discloses that it is common practice for paper documents associated with a first transaction to be sent to a back office (remote location) where second transaction data reflecting information on the documents is generated (col. 1 line 55+, see Fig. 1) and for the first and second data to be linked to a common financial transaction (Fig. 1, inherent in the process). With regard to claims 2 and 3, the teller can be located at any location (branch, central office, etc.), the transaction file is transmitted to another location, and there is a separate file for each transaction (col. 3 line 56+, col.

Art Unit: 3627

4 line 34+). With regard to claims 4-11, it is common practice in the field to consolidate data files, and it would be obvious to one skilled in the art that the consolidation process could occur at any location any number of times during the day, that the consolidated files could be transmitted to any number of locations, and that any amount of data could be included in the file and any amount could be consolidated. With regard to claims 13 and 14, the second transaction data is updated with the first transaction data, which includes the dollar amount of the transaction (col. 3 line 36+). With regard to claims 15 and 16, the second transaction data is gathered by imaging the paper documents and by reading MICR data on the documents (col. 3 lines 40, 53+). With regard to claims 17 and 18, it is common practice to include a type identifier in financial transaction data to indicate the type of transaction (and inherent in the process) and it would be obvious to one skilled in the art that the paper documents could be grouped according to the type of the associated transaction. With regard to claims 19 and 20, it is common practice to maintain an aggregate dollar value of transactions and to compare teller and back office values (col. 1 lines 35+, 51+). With regard to claim 21, transaction data is gathered by imaging the paper documents and by reading MICR data on the documents (col. 3 lines 40, 53+). With regard to claim 22, transaction data includes the dollar amount of the transaction (col. 3 line 36+). With regard to claims 23-26, it would be obvious to one skilled in the art that the method could be applied to a plurality of tellers and could include account reconciliation, posting, and proof of deposit (col. 1 line 54+, col. 2 line 1+).

3. Claims 27 and 29-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funk alone.

With regard to claim 27, Funk discloses a method for processing banking transactions that includes electronically capturing transaction data for transactions conducted by a bank teller (col. 3 line 30+, abstract), storing the transaction data in a file (col. 3 line 55+), transmitting the file to a processing location (col. 2 line 42+), reading the transaction data from the file (not stated but inherent in the invention and common practice), and processing the transaction data to complete the banking transaction (col. 4 line 20+). The data captured by the teller is first transaction data (col. 3 line 35+). Funk discloses that it is common practice for paper documents associated with a first transaction to be sent to a back office (remote location) where second transaction data reflecting information on the documents is generated (col. 1 line 55+, see Fig. 1) and for the first and second data to be linked to a common financial transaction (Fig. 1, inherent in the process). With regard to claims 29 and 30, the second transaction data is updated with the first transaction data, which includes the dollar amount of the transaction (col. 3 line 36+). With regard to claims 31 and 32, the second transaction data is gathered by imaging the paper documents and by reading MICR data on the documents (col. 3 lines 40, 53+). With regard to claims 33 and 34, it is common practice to include a type identifier in financial transaction data to indicate the type of transaction (and inherent in the process) and it would be obvious to one skilled in the art that the paper documents could be grouped according to the type of the associated transaction. With regard to claims 35 and 36, it is common practice to maintain an

Art Unit: 3627

aggregate dollar value of transactions and to compare teller and back office values (col. 1 lines 35+, 51+). With regard to claim 37, transaction data is gathered by imaging the paper documents and by reading MICR data on the documents (col. 3 lines 40, 53+). With regard to claim 38, transaction data includes the dollar amount of the transaction (col. 3 line 36+). With regard to claim 39, it would be obvious to one skilled in the art that the method could be applied to a plurality of tellers.

4. Claims 40-44 and 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funk alone.

With regard to claim 40, Funk discloses a method for processing banking transactions that includes a teller workstation (202) for electronically capturing transaction data for transactions conducted by a bank teller (col. 3 line 30+, abstract), a memory coupled to the workstation for storing the transaction data in a file (col. 3 line 55+, inherent that there is a memory), reading at a remote facility the transaction data from the file (not stated but inherent in the invention and common practice), and processing the transaction data to complete the banking transaction (col. 4 line 20+).
+). The data captured by the teller is first transaction data (col. 3 line 35+). Funk discloses that it is common practice for paper documents associated with a first transaction to be sent to a back office (remote location) where second transaction data reflecting information on the documents is generated (col. 1 line 55+, see Fig. 1) and for the first and second data to be linked to a common financial transaction (Fig. 1, inherent in the process). With regard to claims 41-44, it would be obvious to one skilled in the art

that the method could be applied to a plurality of teller workstations and memories at any location coupled to a remote location through a telecommunications line, the memories being coupled through a common memory. With regard to claims 46-48, transaction data is gathered by imaging the paper documents and by reading MICR data on the documents (col. 3 lines 40, 53+), which could be done at any location.

Response to Arguments

5. Applicant's arguments filed January 14, 2003 have been fully considered but they are not persuasive. Applicant's arguments are addressed in detail in the rejection above.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R Buchanan whose telephone number is 703-306-5782. The examiner can normally be reached on M-T 9-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on 703-308-5183. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

CRB

Christopher Buchanan
March 10, 2003

KR 3/14/03

Kenneth R. Rice
Primary Examiner